

**REMARKS**

Claim 1 has been amended, as set forth above. The amendments to claim 1 are intended to correct minor informalities.

**The disclosure is objected to because of the informality noted in paragraph 2, page 2, of the Office Action.**

Accordingly, the word “not” has been deleted from the specification, page 4, lines 17, 18.

**Claim 1 is objected to because of the noted informalities in paragraph 3, page 2, of the Office Action.**

The Office Action notes that there are problems with verb tense agreement in claim 1. Accordingly, claim 1 has been amended to correct the verb tense agreement issues. The amendment is not related to patentability. Accordingly, the objection has been overcome.

**Claim 1 is also objected to because of a lack of antecedent basis.**

Accordingly, the term “preset time” has been amended to now recite, “a preset time”.

**Claims 1-4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fiorenza (USP 5,383,433).**

Fiorenza discloses a dual type of system including a magneto inductive ignition circuit at engine starting speeds, and a microprocessor-controlled ignition circuit at engine running speeds. Fiorenza specifically discloses a microprocessor-controlled ignition device in which an inductive ignition circuit starts the engine and controls ignition timing until the engine reaches a predetermined speed such as 1000 RPM. At that time, when the engine speed is above the “predetermined speed”, the microprocessor then determines the ignition timing according to ignition advance values corresponding to a plurality of engine speeds stored in a look-up table.

On the contrary, the invention set forth in claim 1 provides for a different engine starting apparatus than that disclosed in Fiorenza. More specifically, claim 1 includes the following features:

**...the engine starting apparatus further comprises an initial igniting function for generating ignition instructions when a preset time has been elapsed after a reference signal of an engine rotation position is first input to the microcomputer after the microcomputer has been started up by the electricity outputted from the power generator operated by the humanly operative starting device.**

The invention of claim 1, provides an ignition device that is basically controlled with a microcomputer. In this device, a first ignition instruction is generated after a predetermined time is elapsed from when a rotation position reference signal is first inputted to the microcomputer after the microcomputer is started up.

On the contrary, Fiorenza does not disclose the relationship between the start up of the microprocessor and the first ignition instructions. Fiorenza is distinct from the language of claim 1, because Fiorenza changes control mode based on a predetermined engine speed.

In fact, the system of Fiorenza is the same system described as prior art in the specification of the instant application. As noted in paragraph [0006], the use of a special hardware configuration (such as the magneto inductive ignition circuit of Fiorenza) is described. It controls a first ignition signal with an electric circuit or hardware, that is, without microprocessor control, until the microprocessor starts up. Because of this, Fiorenza may not generate ignition instructions without missing an ignition chance in a short period during an inertia rotation of the flywheel of the engine.

Thus, it is clear that Fiorenza provides an ignition system which is substantially different from the invention in the instant application, and specifically is distinct from the language set forth above in claim 1. Accordingly, in view of the amendments to the specification and claim, and the remarks set forth above, it is submitted that the Examiner's objections and rejections have been overcome. Accordingly, it is respectfully requested that the objections and rejections be withdrawn and that claims 1-4 be allowed.

### **CONCLUSION**

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

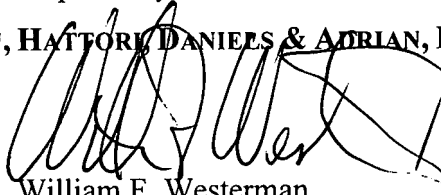
Application No. 10/578,750  
Art Unit: 3747

Amendment under 37 C.F.R. §1.111  
Attorney Docket No.: 062467

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read 'W. F. Westerman', is written over the firm name.

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